18. (First Amended) An actuation lever assembly as recited in claim 10, wherein the force to apply said knob onto said lever does not exceed approximately 50 N.

19. (First Amended) An actuation lever assembly as recited in claim 10, wherein the force to remove said knob from said lever is at least approximately 20 N.

20. (First Amended) An actuation lever assembly for operating a vehicle climate control unit, said actuation lever comprising:

a knob that includes a pocket having at least one inner peripheral surface;

a lever having a first end for engaging and supporting said knob, a second end configured for connection to the climate control unit and a longitudinal axis, said first end having a resiliently deflectable retaining member that engages at least one inner peripheral surface of said knob pocket to retain said knob on said lever; and

wherein said retaining member exhibits a substantially arched profile defining a first half that extends upward from said lever and a second half comprising a deflectable tine that extends downwardly from said first end to a tip, said tine deflecting inwardly towards said longitudinal axis upon installation of said knob, and said tip imbedding into an inner peripheral surface of said knob pocket upon installation of said knob.

REMARKS

Claims 1-9, 15 and 16 have been cancelled. Claims 10-14 and 17-20 have been amended. No new claims have been added. Accordingly, claims 10-14 and 17-20 remain under prosecution in this application.

35 USC §102

Claims 1-7, 10-16 and 20 are rejected under 35 USC §102(b) as being anticipated by Shirogane. Claim 10 has been amended to incorporate the features of originally submitted claims 8, 15, and 16. None of the references of record teach or suggest an actuation lever including a knob and a lever wherein the lever includes a retaining member which is harder

than the knob and the retaining member includes a sharply pointed tip which is embedded into an inner peripheral surface of the knob upon installation of the knob. The Examiner has cited Figure 1 of Shirogane for its teaching of embedding. Nowhere is the concept of embedding taught or suggested in the Shirogane reference. From the abstract, phrases such as "control lever is fitted and an engaging groove 24 with an engaging protrusion of the control lever. . ." The undersigned respectfully submits that the "engaging" of Shirogane is not the same as the "embedding" of the claimed invention. Although engaging protrusions which cooperate with engaging grooves can form a retaining interaction between the two components, the ability of this geometry to resist pull off forces in the range disclosed in the specification is subservient to the claimed design.

35 USC §103

Claims 8, 9 and 17-19 are rejected under 35 USC §103 as being unpatentable over Shirogane. The Examiner believes that it is obvious to one skilled in the art to make the lever out of metal material that is harder than the knob made of polymeric material since it is within the general skill of the worker in the art to select no material on the basis of its suitability for the intended use. The Examiner, in adopting this line of argument, is assuming that Shirogane teaches the advantages of engaging a lever with a knob by having the lever gouge or embed itself into the side of the knob. This gouging or embedding is not taught or suggested by Shirogane and accordingly, the Shirogane reference cannot fairly teach or suggest something for which it is totally devoid.

In view of the amendments and arguments set forth above, the undersigned believes that this case is now in condition for allowance.

Respectfully submitted,

Joseph V. Coppola, Sr., Registration No. 33373
Rader, Fishman & Grauer PLLC
39533 Woodward Ave., Suite 140
Bloomfield Hills, Michigan 48304
(248) 594-0650
Attorney for Applicant
Customer No.: 010291

MARKED UP VERSION OF ALL AMENDED CLAIMS

10. (First Amended) An actuation lever assembly for operating a vehicle climate control unit, said actuation lever comprising:

a knob that includes a pocket having at least one inner peripheral surface;

a lever having a first end for engaging and supporting said knob, [a second end configured for connection to the climate control unit and a longitudinal axis,] said first end having a resiliently deflectable retaining member that engages at least one inner peripheral surface of said knob pocket to retain said knob on said lever, wherein said retaining member is harder than said knob, and wherein said retaining member includes a sharply pointed tip which is embedded into an inner peripheral surface of said knob pocket upon installation of said knob.

A1

11. (First Amended) An actuation lever assembly as recited in claim 10, wherein said retaining member is integrally formed with said lever.

12. (First Amended) An actuation lever assembly as recited in claim 10, wherein said retaining member exhibits a substantially arched profile defining a first half that extends upward from said lever and a second half comprising a deflectable tine that extends downwardly from said first end.

13. (First Amended) An actuation lever assembly as recited in claim 12, wherein said tine deflects inwardly towards said longitudinal axis upon installation of said knob.

14. (First Amended) An actuation lever assembly as recited in claim 13, wherein a spring force generated by said deflected tine causes said retaining member to exert oppositely directed forces against at least one inner peripheral surface.

17. (First Amended) An actuation lever assembly as recited in claim 10, wherein said knob comprises a polymeric material and said lever comprises a metal.

18. (First Amended) An actuation lever assembly as recited in claim 10, wherein the force to apply said knob onto said lever does not exceed approximately 50 N.

19. (First Amended) An actuation lever assembly as recited in claim 10, wherein the force to remove said knob from said lever is at least approximately 20 N.

20. (First Amended) An actuation lever assembly for operating a vehicle climate control unit, said actuation lever comprising:

a knob that includes a pocket having at least one inner peripheral surface;

a lever having a first end for engaging and supporting said knob, a second end configured for connection to the climate control unit and a longitudinal axis, said first end having a resiliently deflectable retaining member that engages at least one inner peripheral surface of said knob pocket to retain said knob on said lever; and

wherein said retaining member exhibits a substantially arched profile defining a first half that extends upward from said lever and a second half comprising a deflectable tine that extends downwardly from said first end to a tip, said tine deflecting inwardly towards said longitudinal axis upon installation of said knob, and said tip ~~imbedding~~ embedding into an inner peripheral surface of said knob pocket upon installation of said knob.

65899-0129
09/982,423

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Dufendach	Group Art Unit	: 3682
Serial No.:	09/982,423	Examiner:	Johnson, V.
Filed:	10/18/01	Paper No.:	
For:	Slide Lever With Knob Locking Feature		
Attorney Docket No.: 65899-0129		Conf. No. 6671	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

☒ deposited with the United States Postal Service

☐ transmitted by facsimile to the Patent and Trademark Office to Examiner _ _____.
at _____ (fax number)

X **first class mail**, postage prepaid in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450

____ **Express Mail**, Post Office to Addressee, Mailing Label No. _____ addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Joyce Krumpe
Signature

Date: 10/10/03

Joyce Krumpe
Name

STATEMENT BY JOYCE KRUMPE

I, Joyce A. Krumpe, attest on a personal knowledge basis to the timely faxing of the eight page response on March 19, 2003 (a copy of which is attached). As evidence in support of this statement, attached hereto is a copy of the sending unit's report confirming transmission of the eight page response on March 19, 2003.

Joyce A. Krumpe
Joyce A. Krumpe